

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
MARCH 11, 2014**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission was held on Tuesday, March 11, 2014 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:37 p.m. The following members were present: Kathleen Sullivan, Chair; Shermin Ata; Justin Outling; Tyler Quinn; Ellen Sheridan; and Steve Allen. Staff present included Elizabeth Benton, Cheryl Lilly, Barbara Harris, and Inspectors Don Sheffield, Roy McDougal, Roddy Covington, Don Foster, Jared LaRue, Brad Tolbert, and Rick Stovall. Also present was Tom Carruthers, Attorney for the Commission; Mary Lynn Anderson and Jennifer Sutphin-Smith, City Attorney's Office; and Becky Jo Peterson, Attorney for the City of Greensboro.

1. APPROVAL OF MINUTES FROM FEBRUARY 11, 2014 MEETING:

Mr. Outling moved approval of the February 11, 2014 meeting minutes, seconded by Ms. Ata. The Commission voted 5-0 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Sheridan, Quinn. Nays: None.)

2. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:

Compliance Coordinator Benton announced that Item 5, 1212 Pearson Street, has been removed from the agenda. The property is now in compliance.

Mr. Allen joined the meeting at 1:40 p.m.

3. SWEARING IN OF CITY STAFF TO TESTIFY:

City staff was sworn as to their testimony in the following matters.

4. SWEARING IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:

Property owners and citizens were sworn as to their testimony in the following matters.

CONTINUED CASES:

- 5. 1212 Pearson Street.** (TMN 31-5-7) Hubaldo Guerreto, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 11/12/13, 1/14/14, 2/11/14 meetings.
(REMOVED DUE TO COMPLIANCE)
- 6. 814 Dillard Street** (TMN 35-1-17) Basil Agapion, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 1/14/14 and 2/11/14 meetings.
(CONTINUED UNTIL MAY 13, 2014 MEETING)

Irene Agapion, 625 South Elm Street, informed members that the contractor has made progress despite the bad weather. She anticipates completion of the repairs at the end of April, 2014. Since the last meeting nine new vinyl insulated replacement windows have been installed and new blinds have been installed. In addition, all exterior painting, trim work, and boxing have been completed.

Inspector Covington took the video of the property on March 6, 2014. He noted that new replacement windows have been installed upstairs and downstairs.

Inspector Sheffield stated that no permits have been taken out for this property. He informed Ms. Agapion that a permit is required for the replacement windows. She indicated that she would secure a permit for the windows.

Brian Higgins, 1007 Haywood Street, observed that only two of the violations for the case had been cleared by the Inspector. He urged the Commission to uphold the Inspector to motivate the owner to repair the property quickly.

Ms. Agapion informed the Commission of her intention to repair the property. She pointed out that work is in progress and she asked that she be afforded the time to complete the work properly. She has not neglected to do what was promised so far. They are making efforts to complete the work and have made progress despite the snow and ice storm. Ms. Agapion stated that she did not know at the last meeting that a permit was required for the replacement windows and she assured the Commission a permit would be taken out.

Ms. Ata pointed out that this case has been in progress for some time. She felt the repairs should have been attended to more expediently as good weather conditions existed before January, 2014.

Ms. Agapion explained that the house was under contract in January, 2014 and the sale fell through due to financing issues.

Ms. Ata stated that Ms. Agapion was aware of the repairs in May, 2013 and should have attended to the matter in a timely way.

Mr. Outling stated that the owner has complied with each continuance and has demonstrated her intention to bring the property into compliance.

Mr. Outling moved to continue this matter until the May 13, 2014 meeting, seconded by Mr. Allen. The Commission voted 5-1 in favor of the motion. (Ayes: Sullivan, Outling, Allen, Quinn Sheridan. Nays: Ata.)

**7. 1501 Randolph Avenue (TMN 76-1-19) Ramona Thornton Lewis, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington.
(INSPECTOR UPHELD)**

There was no one present to speak on behalf of this property. No contact was made by the owner regarding her inability to attend the meeting.

Inspector Sheffield stated that a permit was taken out on February 25, 2014 for repair work on the kitchen floor; however, there have been no inspections.

Mr. Outling pointed out that at the last meeting a representative indicated that progress was contingent upon the property receiving a new owner. No progress has been noted by staff on a deed and there has been no communication from anyone regarding the property.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 5, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior doors need to be weathertight; double-keyed deadbolts not permitted on means of egress doors; bedrooms must have a door with interior lock; windows do not open or close as manufactured; windows missing screens; windows have missing or broken locks; windows have broken glass and aren't weathertight; light at front door missing cover; exterior walls have loose or rotted material; exterior walls contains holes and breaks; exterior wood

surfaces need to be maintained with paint; flashing required around chimney; foundation walls have holes or cracks; roof leaks, rotten roof sheathing; cracked or missing electrical outlet covers; exposed wiring at light fixture and outlets; open ground outlets throughout; missing smoke detectors; heat—gas/electric not on at time of inspection; water heater relief valve improperly installed and/or maintained; dwelling shall be kept free from insect and rodent infestation; unclean and unsanitary ceilings; wall has peeling, chipping or flaking paint; wall has cracks or loose plaster, decayed wood or other defective material; rotten flooring must be repaired in kitchen.

Given there is no one present to speak on behalf of the property, as well as the fact that at the most recent hearing at which the property was discussed the Commission was advised that additional progress would be contingent on a change in ownership and there has been no progress on this property since that hearing, Mr. Outling moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 5-1 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Allen, Quinn. Nays: Sheridan.)

Chair Sullivan stated that the property involved in this matter is located at **1501 Randolph Avenue** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

8. **712 Douglas Street** (TMN 30-9-27) Dorothy Helms, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 1/14/14 meeting.
(CONTINUED UNTIL APRIL 8, 2014 MEETING)

Sheila Helms, 409 West Montcastle Drive, presented a project schedule to the Commission. She stated that despite the weather, they are still on schedule to have repairs completed by the end of March, 2014.

Inspector Sheffield reported that a building permit was purchased March 10, 2014.

The video of the property was taken on March 5, 2014. The Inspector noted the power, water, and heat had all been turned on and various interior violations had been corrected.

Mr. Allen asked if a permit needed to be pulled for the water pipes and water heater. Inspector Sheffield stated that if the water pipes and water heater are replaced, a permit will be required.

Given the progress that has been made since the last time the matter was before the Commission, including interior work, power, water, and heat, as well as the owner obtaining a permit for work, Mr. Outling moved to continue the case until the April 8, 2014 hearing, seconded by Ms. Sheridan. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

9. **3504 Alton Street** (TMN 197-4-8) Victor and Chiewke Archibong, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 1/14/14 meeting.
(CONTINUED UNTIL APRIL 8, 2014 MEETING)

Victor Archibong, 16 Hollycrest Court, informed members that he has entered into an agreement with a non-profit organization that caters to at-risk youth. The organization, Career Academy, will take possession of his house and put almost \$40,000 worth of repairs into the structure beyond the minimum requirements. He presented a contract of his transaction with the organization. Mr. Archibong will still be the owner of the

property. He will receive \$1.00 each year for 10 years in exchange for this donation to a non-profit organization.

The organization has already pulled a permit and started work at the property. A letter from the contractor, Andrew Clement, indicated completion in 4 to 6 months.

Inspector Covington stated that the video was taken March 6, 2014. Inspector Sheffield confirmed that two permits have been pulled. A permit was pulled last year and another was pulled on March 6, 2014.

Mr. Archibong stated that since the last meeting they have gotten rid of vagrants at the property and the litter has been cleaned-up. He explained that youth from Career Academy will be volunteering their time to work on the project to learn skills for the future.

Members reiterated that as the owner of the property, Mr. Archibong is responsible for bringing the property into compliance.

Given previous comments and the fact the absence of work over the last two months can largely be explained by the fact the owner was securing this arrangement, Mr. Outling moved to continue the case until the April 8, 2014 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Ms. Sheridan requested that Mr. Clement attend the April 8, 2014 hearing with a schedule for completion.

10. 1511 Randolph Avenue (TMN 76-1-14) Ramon Vasquez and Maria Antinia Gracia Salazar, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 12/10/13 meeting. **(CONTINUED UNTIL MAY 13, 2014 MEETING)**

There was no one present to speak on behalf of this property.

Inspector Foster stated that the video was taken on March 10, 2014.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 10, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include every dwelling unit shall contain a bathtub, shower, sink, or commode; cracked or missing outlet and switch covers; electrical equipment needs to be properly installed and maintained; exposed wiring at outlets and light fixtures; power not on at time of inspection; utilities for heat—gas/electric, not on a time of inspection; plumbing facilities need to be maintained in a safe and sanitary condition; water heater relief valve improperly installed and/or maintained; interior walls have peeling, chipping, or flaking paint; loose floor covering must be repaired or replaced; unclean or unsanitary floors ceilings, and/or walls.

Inspector Sheffield stated that the last inspection was on February 5, 2014 when insulation was passed. Since then they have been hanging sheetrock and it appears they will begin painting soon. Finals will occur after these things have been completed.

Inspector Foster met with the owner, Mr. Vasquez, who said he has been tied up with work and would try to attend this hearing. The Inspector felt that considerable progress has been made at the property. Since last month's meeting, the owner has installed dry wall, started installation of interior doors, and has completed exterior work.

Ms. Sheridan moved to continue the case until the May 13, 2014 hearing, seconded by Mr. Allen. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

11. 1101 South Benbow Road (TMN 103-6-28) David and Ellen Black, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 12/10/13 meeting. (CONTINUED UNTIL MAY 13, 2014 MEETING)

David Black, 102 Burroughs Road, Jamestown, North Carolina described progress made since the last hearing. He said that power and water have been turned on, the alarm system has been put in, all the doors have been replaced and all walls have been refinished, replastered, and repainted. The dining room and back bedroom floor will be sanded next week and 14 broken windows have been replaced. Carpeting will be installed later along with new tiling in the bathroom. He requested 30 days to allow completion of the repairs that include flooring, work in the bathroom area, repairs in the kitchen, and exterior paint. He said the plumbing is fine, only tile work is required in the bathroom area.

Inspector Sheffield stated that so far, no permits are required for these repairs. Tiling in the bathroom will not require a permit.

Mr. Allen moved to continue the case until the May 13, 2014 meeting, seconded by Mr. Outling. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

MOTION TO AMEND:

12. 325 Lawrence Street (TMN 243-5-13) Ernest and Jane Knight, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. Continued from 12/10/13 and 2/11/14 meetings. (CONTINUED UNTIL MAY 13, 2014 MEETING)

Mr. Outling moved to amend 325 Lawrence Street, seconded by Mr. Quinn.

Mr. Outling amended his motion and moved to amend 325 Lawrence Street and not consider previous comments so as to not prejudice the owner who is present, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Ernest Knight, III, 608 Summit Avenue stated that he recently acquired the property. They are making progress and he expects the violations to be repaired within a month. He asked for a continuance of 60 days.

Work that has been completed includes wall replacement, roof repairs, kitchen and bath repairs, water and electricity have been turned on, and the exterior stairs have been replaced. He described electrical work that still needs to be done.

Inspector Covington took the video on March 6, 2014. Inspector Sheffield said that there is a building permit but there are no inspections on it. In addition, wiring the baseboard heat will require a permit. Mr. Knight stated his intention to purchase a permit for the work.

Given the progress that has been made on this property notwithstanding the adverse weather conditions in the last 60 days, Mr. Outling moved to continue the case until the May 13, 2014 hearing, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

NEW CASES:

13. 614 Martin Street (TMN 29-8-17) Heirs of Doris Lindsay, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. (Published Case) (INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this case was initially inspected on January 13, 2012. The hearing was held on December 12, 2013. An Order was issued on July 17, 2013 and expired on August 16, 2013. The City did not have to secure the property and there are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 6, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include there is not legal water from local utilities provided; power not on at time of initial inspection; utilities for heat, gas/electric, not on at time of inspection; missing and inoperable smoke detectors; plumbing facilities must be maintained in a safe, sanitary, functional condition; water not on at time of inspection; unclean/unsanitary floors, ceilings, and/or walls; rotten flooring that must be repaired; loose floor covering must be repaired or replaced; exterior doors need to be weathertight; screens on doors should be self-closing; dwelling unit does not contain bathroom sink; exterior wood surfaces need to be maintained with paint; exterior walls have loose, rotting material; holes or cracks in foundation walls; all exterior property and premises shall be maintained in a clean, sanitary condition; windows do not open or close as manufactured; windows have broken panes; windows are not weathertight; windows have missing or broken locks; loose commode.

There was no one present to speak on this property. Staff has not heard from the owners of this property.

Inspector Sheffield stated that there are no permits for this property.

Douglas Campbell, Greensboro Police Department, stated that the property was condemned in January, 2013. He described numerous calls to the police department and indicated that the property is a source of criminal activity in the neighborhood. The property draws on the resources of the police department to make sure it is secure, unoccupied, and free from crime.

Members noted that the house was never ordered to be secured. Compliance Coordinator Benton's records go back to 2012 and there is no indication it was ever ordered to be secured.

Officer Campbell stated that the police department still working on the process of making contact with departments such as Local Ordinance Enforcement (LOE) for help in these matters.

Compliance Coordinator Benton stated that the house is secure. The City is checking it monthly. The Inspector had to use the service of a locksmith to enter the property for purposes of the video. There are three heirs living in Philadelphia who were served and the case was published. She provided dates of service and publication for the Commission.

Given that this property has been out of compliance for over two years as well as the fact there appears to be sufficient service to the heirs or other property owners and notwithstanding that fact, no one is present to speak on behalf of the property besides Officer Campbell, and the fact that Officer Campbell has provided testimony that this property is operating as a public nuisance in the form of a place where people engage in illegal activity, Mr. Outling moved to uphold the Inspector, seconded by Mr. Allen. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at **614 Martin Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

14. 5307 Southwind Road (TMN 669-7-7) Eric and Keisha Spivey, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. (Published Case)
(INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this case was initially inspected on March 8, 2013. The hearing was held on July 1, 2013. An Order to Repair was issued on July 10, 2013 and expired on August 9, 2013. The City did not have to secure the property and there are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 5, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions. She also agreed that notification was done through regular mail service, publication, and certified mail. The certified mail was signed for.

Compliance Coordinator Benton stated that the list of violations include missing smoke detectors; power not on at time of inspection; cracked or missing electric and outlet switch covers throughout the property; house needs carbon monoxide detector; utilities for heat, either gas or electric, were not on at the time of inspection; water not on at time of inspection; ceilings contain holes, loose material, or in disrepair; unclean/unsanitary floors, ceilings, and/or walls; bedrooms must have door with lockset; locks not maintained or missing on windows; exterior wood surfaces need to be maintained by paint or other protective coating—that includes guard rails on back deck and side porch that also need painting; gutters and downspouts in disrepair; exterior walls contain holes and/or breaks; exterior walls have loose or rotted material; roof leaks.

There was no one present to speak on this property. Staff has not had any contact with the owners of this property.

Given that this property has been out of compliance for over a year and given the fact that service was obtained on this matter and someone signed for the notification but yet did not inform the City as to their inability to attend this hearing, Mr. Outling moved to uphold the Inspector, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at **5307 Southwind Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human

habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

15. 306 Bond Street (TMN 297-8-5) Wise Choice Investments LLC, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector McDougal. (INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this case was initially inspected on February 18, 2013. The hearing was held on January 9, 2014. An Order was issued on January 9, 2014 and expired on February 10, 2014. The City did have to secure the property and there are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 5, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include all required doors destroyed because of fire and need replacement; missing smoke detectors; house needs to be rewired with new electrical service, needs permit to rewire; no electric power service; utilities for heat, either gas or electric, were not on at time inspection; plumbing facilities need to be maintained in safe and sanitary functional condition; walls have structural members unable to support imposed load, rotten and damaged flooring must be repaired or replaced; rotten roof sheathing; roof structural member not able to support nominal load and needs replacement; windows do not open and close as manufactured; exterior walls contain holes; front and back porches destroyed by fire; ceilings contain holes or are missing throughout unit; all exterior property and premises need to be maintained in clean, sanitary condition; unclean and unsanitary floors, ceilings and/or walls on interior.

There was no one present to speak on this property. Staff has not heard from the owners of this property.

A fire occurred at this property in early February, 2013.

Ms. Ata moved to uphold the Inspector, seconded by Mr. Allen. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at **306 Bond Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**16. 2112 Larkspur Drive (TMN 405-2-49) Cornelius and Bernadette Morgan, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector McDougal.
(CONTINUED UNTIL APRIL 8, 2014 MEETING)**

Compliance Coordinator Benton stated that this case was initially inspected on May 25, 2012. The hearing was held on May 16, 2013. An Order to Repair was issued on May 29, 2013 and expired on June 28, 2013. The City did have to secure the property and there are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 10, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include electrical equipment needs to be properly installed and maintained, electric switch in back storage/utility room is hanging loose from wall; exposed wiring at light fixture, lighting required at stairway in attic; thermostat in hallway broken, power not on at time of inspection; exterior storm doors difficult to operate; interior doors difficult to operate; missing smoke and carbon monoxide detectors; utilities for heat, either gas or electric not on at time of inspection; plumbing facilities need to be maintained in safe and sanitary condition; water not on at time of inspection; water heater not installed properly; unclean/unsanitary floors, ceilings and/or walls, back storage utility room walls have rotting and decaying material; back enclosed porch walls have rotting and decaying material; rotten sheathing on roof; structural member of roof not able to support nominal load and have rotten and/or deteriorated material; ceilings contain holes, loose material and are in disrepair; walls have cracks, holes, loose plaster, decayed wood or other defective material; walls have peeling, chipping and peeling paint; duct system not capable of performing required function; back door window pane broken as well as pane in second bedroom; exposed wiring at light fixture on rear of house; exterior wood surfaces need to be maintained by paint including exterior wood frames; handrails are required at front porch steps; need proper house numbers; all accessory structures shall be maintained structurally sound and in good repair.

Harry Goode, 4202 Queen Bell Drive, stated that this property is in foreclosure. He is speaking on behalf of Tammy Fox who lives in Atlanta, Georgia. He said that she would like to get possession of the house and have it repaired. Tammy Fox is Mr. Goode's sister-in-law. He thought there might be liens on the property.

Staff did not have any information as to this property being in foreclosure. They indicated that Tammy Fox is one of the beneficiaries on one of the Deeds of Trust, but the owners are Cornelius and Bernadette Morgan.

Inspector Sheffield stated that there are no permits for this property. If a water heater is installed, a permit will be needed.

Notice was sent to the Morgans and also to Tammy Fox, as a party of interest.

Inspector Covington has been in contact with Tammy Fox. Prior to her stroke, it was her intention to repair this property as it was her childhood home. She has a lawyer working for her and due to her health; she is unable to attend the hearing. Members discussed the best way to provide a video to Ms. Fox so she can see the condition of the property.

Mr. Allen moved to continue the case until the April 8, 2014 meeting, seconded by Ms. Ata. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Sheridan, Allen, Quinn. Nays: None.)

17. 1927 White Street (TMN 3-144-67-5) East White Oak Missionary Baptist Church, Inc. In the Matter of Order to Repair, Alter or Improve Structure. Inspector McDougal. (CONTINUED UNTIL JUNE 10, 2014 MEETING)

Compliance Coordinator Benton stated that this case was initially inspected on December 20, 2012. The hearing was held on May 20, 2013. An Order to Repair was issued on July 24, 2013 and expired on August 23, 2013. The City did have to order the property secured and the owner secured it. There are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 10, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior front porch light fixture and side porch light fixture needs repair; no electrical power service; unsafe electrical wiring at panel box; doors difficult to operate; missing smoke detector; duct system must be capable of performing required function; heat-gas/electric not on at time of inspection; no water service; water heater not installed; windows have broken glass in living room and front bedroom; exterior walls contain holes and/or breaks; foundation ventilation not maintained or missing; gutters and downspouts in disrepair; front and side steps rotten or in disrepair; exterior wood surfaces need to be maintained with paint; unclean/unsanitary floors, ceilings and or walls; walls have cracks, holes or loose plaster, decayed wood or other defective material.

Thomas Boone, 1902 Three Meadows Road, stated that his lawyer could not be present at the hearing. He is asking for a 60-day continuance because the property, even though it is in the church's name, is not owned by the church. It was built on the church's property. There is no clear deed to the property. In order to get a clear deed, they plan to sell the property to the title insurance company and are awaiting signatures. The title insurance company is fully aware that repairs must be made or the structure will be demolished. Compliance Coordinator Benton described further problems being experienced by the title insurance company to be able to secure a clear deed.

Mr. Allen moved to continue the case until the June 10, 2014 meeting, seconded by Mr. Outling. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Sheridan, Allen, Quinn. Nays: None.)

Counsel Carruthers left the meeting and Counsel Peterson arrived at 3:14 p.m.

18. 193 Lyndon Street (TMN 15-7-3) Anthony C. Bartholomew, Owner. In the Matter of order to Repair, Alter or Improve Structure. Inspector McDougal. (CONTINUED UNTIL APRIL 8, 2014 MEETING)

Compliance Coordinator Benton stated that this case was initially inspected on August 3, 2012. The hearing was held on May 20, 2012. An Order to Repair was issued on October 24, 2013 and expired on November 25, 2013. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Peterson asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 10, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior doors need to be weathertight; heat-gas/electric not on at time of inspection; power not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; missing smoke detectors; inoperable smoke detectors; rotten flooring must be repaired in bathroom and hallway; bathroom and bedrooms must have door that includes a lockset; walls have cracks, loose plaster, or other defective material; loose floor covering must be repaired or replaced in kitchen and enclosed rear porch; front porch wood floor rotten or in disrepair; and handrails required at front steps.

Anthony Bartholomew, 2104 Rolling Road, described circumstances involving his tenant. The tenant was supposed to be repairing the property. Events transpired that have forced the owner to evict the tenant. He has not filed the eviction papers yet and is allowing the tenant time to remove his property from the house. Mr. Bartholomew has started to clean up the exterior of the property with the aid of some helpers. He stated his intention to repair the property and asked for a continuance of 90 to 120 days based on his survey of what needs to be done.

Inspector McDougal confirmed that it was the tenant who initially called the City to complain about the property. After the inspection was done, the tenant indicated that he was to be doing the repair work.

Mr. Bartholomew stated that he became aware of the violations about a year ago.

Doug Campbell, Greensboro Police Department, provided information on the tenant and stated that he was an ongoing problem for the police department. They consider the tenant dangerous and noted that he has pending criminal charges.

Inspector Sheffield stated that the owner has a building permit to do the necessary work. He noted the owner's intent to make the repairs.

Mr. Allen moved to continue the case until the April 8, 2014 meeting, seconded by Mr. Outling. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Sheridan, Allen, Quinn. Nays: None.)

Beth McKee-Huger, 122 North Elm Street, is with the Greensboro Housing Coalition. She expressed concern that the property had been rented while it was condemned. Responding to a question, staff confirmed that it is not legal to rent a unit if it is condemned. Mr. Bartholomew pointed out that he let the tenant stay at the house during the time it was condemned but no rent was collected. Staff informed him that is illegal to stay in a condemned property.

19. 1523 Lovett Street (TMN 84-4-37) Ethel Mildred O. Allred, Trustee of the Ethel Mildred O. Allred Revocable Living Trust, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Stovall. **(CONTINUED UNTIL MAY 13, 2014 MEETING)**

Compliance Coordinator Benton stated that this case was initially inspected on August 22, 2013. The hearing was held on September 20, 2013. An Order to Repair was issued on October 24, 2013 and expired on November 21, 2013. The City did not have to secure the property. There are children living in the area where the property is located and an elementary school is nearby.

Counsel Peterson asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 10, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include all exterior property shall be maintained free from weeds/plant growth in excess of 12"; all appliances shall be capable of performing the

intended function; cracked or missing electrical outlet covers; cracked or missing switch plate covers; exposed wiring at outlet; power not on at time of inspection; unsafe electrical wiring; lighting required in public halls, stairway, kitchen, bathroom, laundry room, boiler room, furnace room; missing smoke detectors; windows not readily accessible in case of emergency; duct system not capable of performing required function; heat—gas/electric not on at time of inspection; heating system not maintaining 68 degrees in habitable rooms, bathrooms; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; water heating not properly installed or maintained; unclean/unsanitary floors, ceilings and walls; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material; rotten flooring must be repaired, soft in several locations; ceiling contains holes, loose material and/or in disrepair; doors need to be weathertight; screens required on doors; screens required on windows; screens on doors should be self-closing and latching; every window shall open and close as manufactured; windows need glazing; windows need to be weathertight; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls have loose or rotted material; roof drains, gutters and downspouts in disrepair; roof water shall not be discharged as to create a public nuisance; roof has leaks; all mechanical appliances shall be properly installed and maintained in a safe working condition and capable of performing intended function; all exterior property and premises shall be maintained in a clean and sanitary condition; all exterior property shall be maintained free from weeds/plant growth in excess of 12"; all sidewalks, walkways, driveways, stairs, and parking spaces shall be maintained.

Mark Allred, 2101 Newkirk Avenue, Wilmington, North Carolina, stated that he would like to sell the property. He has received an offer to purchase. If the property does not sell, he plans to give it away as his mother does not want the property demolished. He listed repairs made to the property to date and noted vandalism at the property. Mr. Allred felt that he would be able to have a timeline available at the next meeting.

Counsel Peterson informed Mr. Allred that when the property is sold, he is required by Greensboro City Code to notify the City and the new purchaser. The new purchaser must be given a copy of any notice, complaint, or order issued by the Inspector.

Brian Higgins, 1007 Haywood Street, stated that this property has been consistently vacant and a nuisance in the neighborhood. He is in favor of a 30-day continuance to find a new owner.

Mr. Allen moved to continue this case to the May 13, 2014 meeting to allow time to meet with the realtor to have them actively market and get an offer for the property, seconded by Ms. Ata. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Outling, Sheridan, Allen, Quinn. Nays: None.)

20. 809 Silver Avenue (TMN 35-01-05) The Capital Foundation, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Covington. (CONTINUED UNTIL APRIL 8, 2014 MEETING)

Mr. Outling asked to be recused from this matter due to a conflict of interest.

Mr. Allen moved to recuse Mr. Outling, seconded by Ms. Ata. The Commission voted 5-0 in favor of the motion. (Ayes: Sullivan, Ata, Sheridan, Allen, Quinn. Nays: None.)

Chair Sullivan asked members to refer to an email in reference to service on this property.

Compliance Coordinator Benton explained that this case is being served based on the title search address. However, Mr. Byers, who is local and represents UNC-Greensboro, has emailed the City because they have a local address as well, although it is not the address on record.

Chair Sullivan stated that in order to move forward, it must be ascertained that service has been mailed to the correct address. She asked the Commission for a motion to continue this case until the next meeting for proper service.

Compliance Coordinator Benton commented that she is in receipt of a green card where someone with Capital Foundation signed for the notice.

Counsel Peterson relayed comments made by Counsel Carruthers, the regular attorney for the Commission, before he had to step out of the meeting. He said that the service was not adequate and the matter should be continued until the next hearing. She added that if there is any question of service, the preferred action is to continue the case until correct service can be given.

Mr. Quinn moved to continue this case until the April 8, 2014 meeting, seconded by Mr. Allen. The Commission voted 5-0-1 in favor of the motion. (Ayes: Sullivan, Quinn, Allen, Sheridan, Ata. Nays: None. Abstain: Outling.)

21. 402 Rocky Knoll Road (TMN 6-342-A670-23) Jignasha Patel and Spouse, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Tolbert. (INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this case was initially inspected on May 17, 2013. The hearing was held on November 21, 2013. An Order was issued on November 21, 2013 and expired on January 9, 2014. The City did not have to secure the property and there are children living in the area where the property is located.

Counsel Carruthers asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 5, 2014; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked or missing electrical outlet covers; power not on at time of inspection; missing smoke detectors; unclean and unsanitary floors, ceilings and/or walls; structural member of wall unable to support imposed load; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected; rotten flooring must be repaired; rotten roof sheathing; doors need to be weathertight; windows need to be weathertight; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls not weatherproof; exterior walls have loose or rotted material; foundation wall has holes or cracks; needs premises identification; all exterior property and premises shall be maintained in a clean and sanitary condition; all exterior property shall be maintained free from weed/plant growth in excess of 12 inches.

There was no one present to speak on this property.

Inspector Tolbert informed the Commission that the owner plans to demolish the structure in 60 days.

Ms. Ata moved to uphold the Inspector, seconded by Mr. Allen. The Commission voted 6-0 in favor of the motion. (Ayes: Sullivan, Outling, Ata, Quinn, Allen, Sheridan. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at **402 Rocky Knoll Road** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

REQUESTS TO RESCIND:

- 22. 4357 Four Farms Road** (TMN 173-835-81) Donald Cato, Owner. Request to Rescind. Demolished by owner. **(RESCINDED)**

Mr. Allen moved to rescind 4357 Four Farms Road, seconded by Ms. Ata. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Sheridan, Outling, Allen, Quinn. Nays: None.)

- 23. 841 Broad Avenue** (TMN 50-2-4) VFS Lending JV LLC, Owner. Request to Rescind. Repaired by owner. **(RESCINDED)**

Mr. Allen moved to rescind 841 Broad Avenue, seconded by Ms. Ata. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Sullivan, Ata, Sheridan, Outling, Allen, Quinn. Nays: None.)

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ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 3:55 p.m.

Respectfully submitted,

Kathleen Sullivan,
Chairwoman, City of Greensboro Minimum Housing Standards Commission

KS:sm/jd